

EPG2, LLC.
4267 E. Konker Road
Port Clinton, Ohio 43452

May 13, 2013

Director, Water Division
U.S. EPA
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Reference: Docket No. V-404-308-13-23

Mr. Greg Carlson:

Please be advised the information included within this document is to be held confidential as ARES/EPG is in the business of developing and testing weapon system for the US Government as well as defense related private companies. As required within this business we have ammunition, propellant, and weapon system used and stored on site. We maintain a very low profile.

As per your request I have listed below the following information per the listed item number.

Item 1: Real estate billing for EPG shown as Attachment "A"

Item 2: "Current Site Layout Aerial Photograph" Provided by the US Government Corps of Engineers. This site map indicates the area of interest as "Dry Impact AREA" and is Shown as Attachment "B" and references you're "Exhibit 1" of matching site location.

Item 3: "Proposed Firing Range Dikes" Shown as Attachment "C". This construction plan indicates the construction site area in size and shows the location and height of the dikes that are for containment of the ammunition during the weapon training exercises.

Item 4: Approximately four months starting mid April 2012 thru July 2012

Item 5: Trucks, earthmovers, and bulldozers

Item 6: This is not a recreational pond it is a government certified firing range for certifying security personnel on their weapons accuracy and usage requirements.

Item 7: EPG2, LLC has no relationship to the construction site contractor.

Item 8: The Corps of Engineers have been at this location for approximately 9 to 10 years doing ammunition cleanup the result of years that this site was a government testing range

starting in 1918 until 1968. The area of the new firing range has always been noted on all documentation as "Dry Impact AREA".

Item 9: We have only given permits of access to the Corps of Engineers, EPA, and its subcontractors for the ammunition cleanup contracts. Reference Attachments "D" & "E"

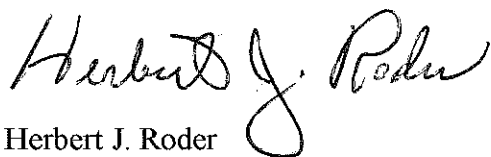
Item 10: Reference Item 9 above

Item 11: N/A as the firing range is a restricted area

Item 12: Managing Partner: Herbert J. Roder
4267 E Konker Road
Port Clinton, Ohio 43452

Silent Partner: C. Reed Knight Jr.
(No involvement) 701 Columbia Blvd
Titusville, Florida 32780

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to 18 U.S.C., 1001 and 1341.



Herbert J. Roder
Member
EPG2, LLC
4267 E Konker Road
Port Clinton, Ohio 43452

EPG2, LLC
818 FRONT STREET
ERIE INDUSTRIAL PARK
PORT CLINTON, OH 43452
(419) 635-2175

Attachment A

0732-A

DATE Jan 25, 2012 56-258-412

PAY TO THE
ORDER OF

Robert J. Hille, Treasurer of Ottawa Co.

\$ 2,336.95

Two Thousand Three Hundred Thirty Six and 95/100

DOLLARS



Five Star Service Guaranteed

usbank.com

FOR Real Property - 1st half 2011

⑈000732⑈ ⑆041202582⑆ 130101065535⑈

EPG2 LLC
4267 E KONKER RD
PORT CLINTON OH 43452

STUB # 1021784

LEGAL INFORMATION:

Section: 0 Township: 0 Range: 0
LOT 4 ERIE INDUSTRIAL PARK

Gross Tax Rate		77.95	Acres	642.743	APPRaised VALUE				
Reduction Factor		.450790981	Class	1	Land	Building	Total		
Effective Tax Rate		42.810843	Land Use Code	370	189,010	123,490	312,500		
TAX VALUES				CURRENT TAX DISTRIBUTION					
Gross Taxes	8,512.26	Ottawa County	739.20	TAXABLE VALUE					
Reduction Factor	-3,838.36	Erie Township	566.29	Land	Building	Total			
Subtotal	4,673.90	Port Clinton Csd	3,193.73	66,150	43,220	109,370			
10% Rollback	0.00	Vanguard Jvs	174.68	HOMESTEAD			CAUV Value	TIF Value	
2.5% Rollback	0.00	Special Assessment	0.00				0	0	
Homestead Reduction	0.00			SPECIAL ASSESSMENT					
CAUV Recoupment	0.00			Proj# and Description					
Farm Rollback	0.00			Delinquent					
Current Net Taxes	4,673.90			Current					
Current Full Special Asmts	0.00								
Current Net Taxes & Asmts(YEAR)	4,673.90								
Current Half Taxes	2,336.95	Total		Total					
Current Half Special Asmts	0.00								
Current Half Taxes & Asmts	2,336.95								
Penalties	0.00								
Interest	0.00								
Adjustments	0.00								
Delq Real Estate	0.00								
Delq Special Asmts	0.00								
Omitted Taxes	0.00								
FULL YEAR TAX DUE		4,673.90							
PAYMENTS									
OTHER CREDITS									
TOTAL DUE		4,673.90							
TaxBill prepared on 01/09/12									

CREDIT CARD PAYMENTS:
Call: 1-888-357-8394; Code 4561
Ottawa County doesn't collect/retain the fee collected

MISS A MORTGAGE PAYMENT?
Dial 2-1-1; or call the O.C. Treasurer

Visit us at:
www.ottawacountytreasurer.org; real estate only
DROP OFF BOX: Jefferson Street entrance

**TO AVOID 10% PENALTY
PAY ON OR BEFORE
02/23/12**

If you need a stamped receipt, return entire bill with a self-addressed stamped envelope. No receipt will be returned unless requested

YOUR RETURNED CHECK IS YOUR RECEIPT

Return Bottom Portion with Payment



ROBERT J. HILLE, TREASURER OF OTTAWA COUNTY
215 N. MAIN STREET, ROOM 201
PORT CLINTON, OH 43452
PH. 419-734-6755 FAX 419-734-6739

REAL PROPERTY
1st HALF 2011
DUE 02/23/2012

PARCEL LOCATION: SR 2 (REAR)

PARCEL ID: 016-06645-00004-000



OWNER NAME EPG2 LLC

MAKE CHECK PAYABLE TO:

ROBERT J. HILLE, OTTAWA COUNTY TREASURER

TaxBill prepared on 01/09/12

STUB 1021784



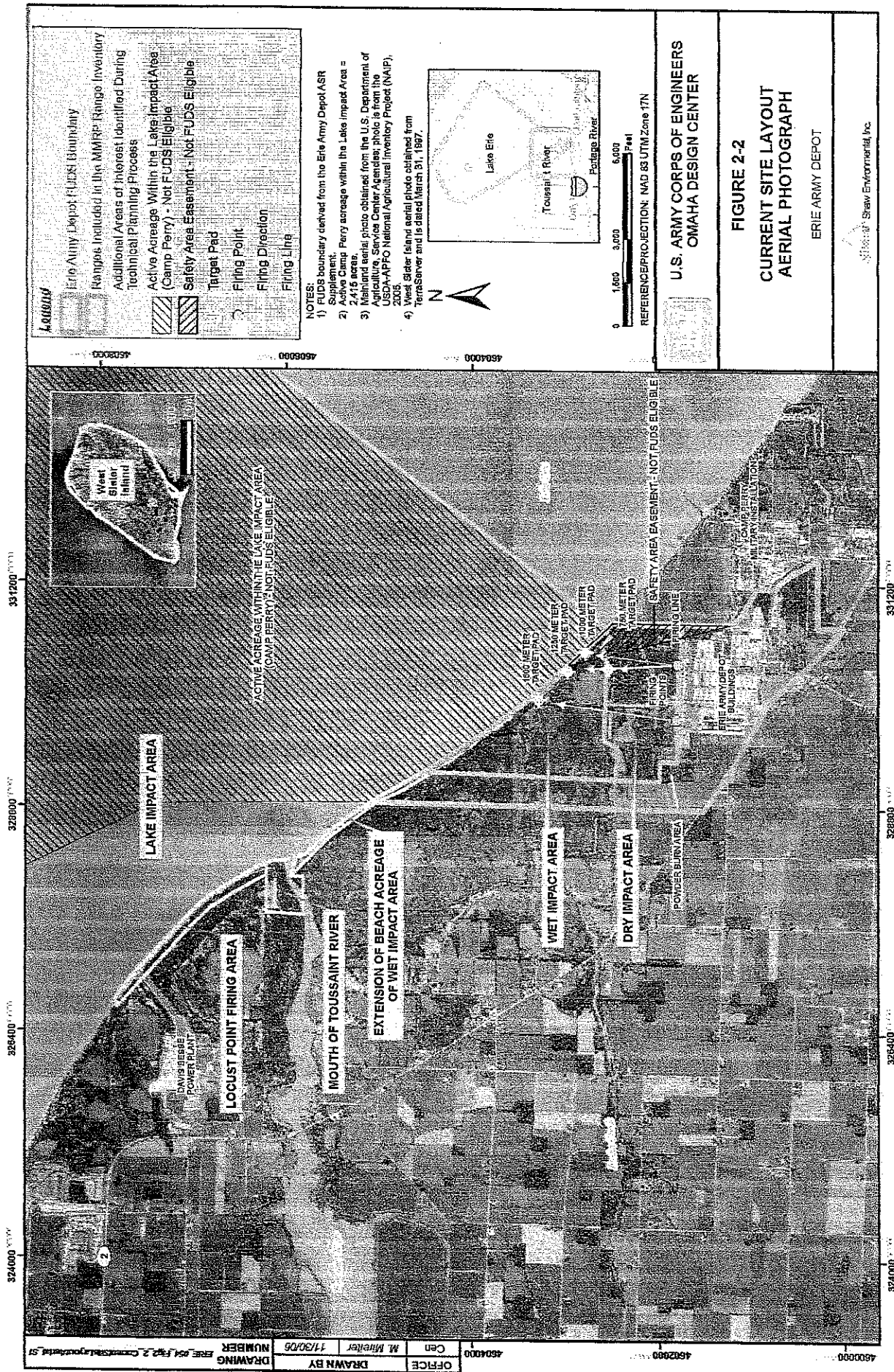
EPG2 LLC
4267 E KONKER RD
PORT CLINTON OH 43452

PAY THIS AMOUNT

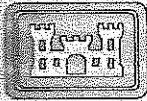
HALF YEAR: \$2,336.95



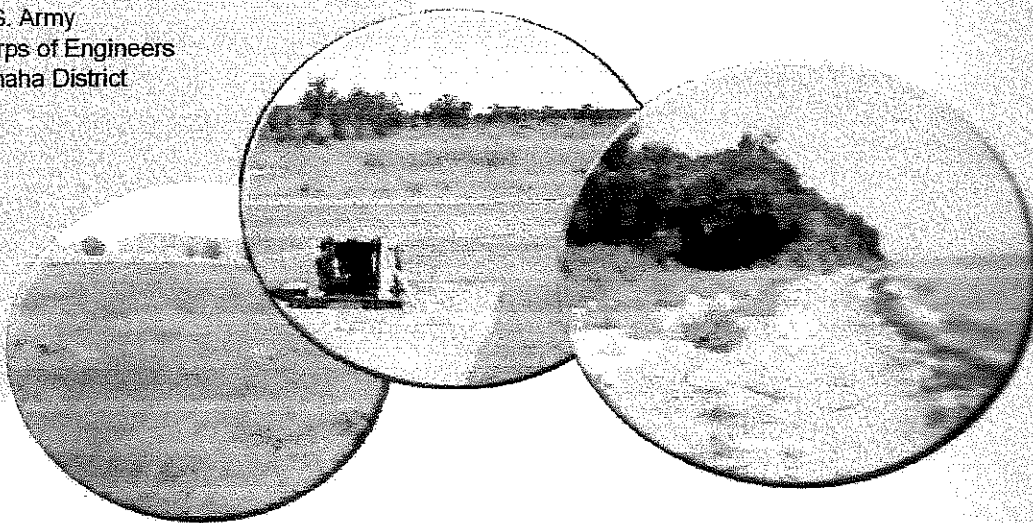
Attachment "B"



Attachment "D"



U.S. Army
Corps of Engineers
Omaha District



FINAL SITE INSPECTION REPORT

Erie Army Depot
Ottawa County, OH
FUDS Property No. G05OH0027

Site Inspections at Multiple Sites, NWO Region
Formerly Used Defense Sites
Military Munitions Response Program

Contract No. W912DY-04-D-0010
Delivery Order No. 003

June 2008

Shaw Environmental, Inc.
7604 Technology Way, Suite 300
Denver, CO 80237

The views, opinions, and/or findings contained in this report are those of the contractor and are not to be construed as official department of the Army position, policy, or decision, and are not to be used for official documentation.

[Print this report](#)**Corporation Details**

Corporation Details		
Entity Number	1365890	
Business Name	EPG2, LLC	
Filing Type	DOMESTIC LIMITED LIABILITY COMPANY	
Status	Active	
Original Filing Date	01/31/2003	
Expiry Date		
Location:	County:	State:
Agent / Registrant Information		
HERBERT J. Roder 818 ERIE INDUSTRIAL PARK PORT CLINTON, OH 43452 Effective Date: 01/31/2003 Contact Status: Active		
Incorporator Information		
HERBERT J. Roder C. REED KNIGHT, JR		
Filings		
Filing Type	Date of Filing	Document Number/Image
ARTICLES OF ORGANIZATION/DOM. LIMITED LIABILITY CO	01/31/2003	<u>200303400730</u>



Prescribed by **J. Kenneth Blackwell**

Ohio Secretary of State
Central Ohio: (614) 466-3910
Toll Free: 1-877-SOS-FILE (1-877-767-3453)

www.state.oh.us/sos
e-mail: busserv@sos.state.oh.us

Expedite this Form: (Select One)	
Mail Form to one of the Following:	
<input type="radio"/> Yes	PO Box 1390 Columbus, OH 43216 *** Requires an additional fee of \$100 ***
<input type="radio"/> No	PO Box 670 Columbus, OH 43216

ORGANIZATION / REGISTRATION OF LIMITED LIABILITY COMPANY

(Domestic or Foreign)
Filing Fee \$125.00

THE UNDERSIGNED DESIRING TO FILE A:

(CHECK ONLY ONE (1) BOX)

(1) ☒ Articles of Organization for
Domestic Limited Liability Company
(115-LCA)
ORC 1705

(2) ☐ Application for Registration of
Foreign Limited Liability Company
(106-LFA)
ORC 1705

(Date of Formation)

(State)

Complete the general information in this section for the box checked above.

Name

EPG2, LLC

☐ Check here if additional provisions are attached

* If box (1) is checked, name must include one of the following endings: limited liability company, limited, Ltd, L.t.d., LLC, L.L.C.

Complete the information in this section if box (1) is checked.

Effective Date (Optional)

(mm/dd/yyyy)

Date specified can be no more than 90 days after date of filing. If a date is specified,
the date must be a date on or after the date of filing.

This limited liability company shall exist for
(Optional)

perpetuity

(Period of existence)

Purpose
(Optional)

The purposes for which this limited liability
company is formed are to engage in any business
or activity for which limited liability companies
are formed under Sections 1705.01 and 1705.58
inclusive, of the Ohio Revised Code.

The address to which interested persons may direct requests for copies of any operating agreement and any bylaws
of this limited liability company is

(Optional)

(Name)

(Street)

(City)

NOTE: P.O. Box Addresses are NOT acceptable.

(State)

(Zip Code)

Complete the information in this section if box (1) is checked Cont.

ORIGINAL APPOINTMENT OF AGENT

The undersigned authorized member, manager or representative of
EPG2, LLC
(name of limited liability company)

hereby appoint the following to be statutory agent upon whom any process, notice or demand required or permitted by statute to be served upon the limited liability company may be served. The name and address of the agent is:

Herbert J. Roder
(Name of Agent)

818 Erie Industrial Park
(Street)

Port Clinton Ohio 43452
(City) (State) (Zip Code)

NOTE: P.O. Box Addresses are NOT acceptable.

Must be authenticated by an authorized representative

<u>Herbert J. Roder</u> Authorized Representative Herbert J. Roder	<u>1/14/03</u> Date
<u>C. Reed Knight, Jr.</u> Authorized Representative C. Reed Knight, Jr.	<u>1/20/03</u> Date

ACCEPTANCE OF APPOINTMENT

The undersigned, named herein as the statutory agent for
EPG2, LLC
(name of limited liability company)

hereby acknowledges and accepts the appointment of agent for said limited liability Company.

Herbert J. Roder
(Agent's signature) Herbert J. Roder

PLEASE SIGN PAGE (3) AND SUBMIT COMPLETED DOCUMENT

Part of Attachment E

DEPARTMENT OF THE ARMY CORPS OF ENGINEERS
SUPPLEMENTAL AGREEMENT NO. 1 TO
DEPARTMENT OF THE ARMY
RIGHT-OF-ENTRY NO. W911XK-9-09-1001

THIS SUPPLEMENTAL AGREEMENT made and entered into this 15 day of April 2010, by and between EPG2, hereinafter called the "Grantor" and the **UNITED STATES DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS**, hereinafter called the "Government".

WITNESSETH:

WHEREAS, the parties hereto entered into Department of the Army Right-of-Entry No. W911XK-9-09-1001, dated 24 November 2008, which allows for access in order to perform surface removal of Munitions and Explosives of Concern and perform such other work as may be necessary and incident to the implementation of the Defense Environmental Restoration Program, as more accurately described in the basic agreement; and

WHEREAS, by Supplement Agreement No. 1, the said right-of-entry will expire by its own terms on 15 April 2010:

WHEREAS, the Government has a continued need to use said land; and

WHEREAS, the Owner has expressed a willingness to extend the term until 15 April 2012.

HOW; THEREFORE, the said right-of-entry is modified in the following particulars, but in no others, effective 15 April 2010:

Paragraph no. 1 is modified by **DELETING**, there from,

"within the period of 8 December 2008 – 15 April 2010"

And **SUBSITITUTING**, in lieu thereof,

"within the period of 8 December 2008 – 15 April 2012"

EXCEPT AS MODIFIED ABOVE, all other terms and conditions of the right-of-entry remains in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this **Supplemental Agreement No. 1**, as of the date first above written.

GRANTOR

Herbert J. Roder (SEAL)
Herbert J. Roder, President
[Type or Print Title] (SEAL)

Accepted:

UNITED STATES OF AMERICA

By:

VICTOR L. KOTWICKI
Chief, Real Estate Division
Detroit District



Bldg. 818 Front Street
Lake Erie Business Park
Port Clinton, OH 43452-9399
www.aresinc.net

TEL: 419-635-2175
FAX: 419-635-2640
E-MAIL: info@aresinc.net

6 August 2008

Ohio EPA
401 E. Fifth Street
Dayton, Ohio 45402
Attn. Bonnie Buthker

Subject: Response To Questions on Erie Army Depot Impact Areas

Bonnie Buthker:

ARES, Inc. and Camp Perry has continued to use the former Erie Army Depot firing range since being deactivated by the Federal Government. ARES, Inc. use of the range has always been with "Target Practice" rounds of ammunition only. The firing that ARES, Inc. has done is as follows. We have two enclosed ranges that have impact bunkers at 100 meters to collect the projectiles. Within these two enclosed ranges we fire small caliber systems up to 25mm. For medium caliber weapon systems ARES, Inc. has two outside ranges with impact bunkers at 100 meters to catch the projectiles. For large caliber weapon systems we have two outside firing range with a bunker at 435 meters to catch the projectile. We also have four outside ranges that we can fire into the lake or the land surfaces of the range. These ranges are used should the customer (USG) require that the systems be fired at targets at extended distances or for specific purposes. The projectiles for this type of firing will go into Lake Erie. Again, these projectiles are "Target Practice" only. From these outside ranges we can also fire small or medium caliber weapons at targets or for special purposes. These small caliber projectiles may or may not impact in the land area of the range depending on the firing elevation requirement. ARES, Inc. has not in the past or present ever fired live or high explosive projectiles into Lake Erie or the land areas. Should you have additional questions or need more information please call me on your requirements or needs.

Best Regards

Herb
Herb Roder
President
ARES, Inc.

Attachment "E"



State of Ohio Environmental Protection Agency

Southwest District

401 East Fifth Street
Dayton, Ohio 45402-2911

TELE: (937)285-6357 FAX: (937)285-6249
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

July 28, 2008

Mr. Herb Roder, President
ARES, Inc.
818 Erie Industrial Park
Port Clinton, Ohio

Dear Mr. Roder:

Per your request, attached please find a compact disk containing an electronic copy of the *Final Site Investigation Report, Former Erie Army Depot*, dated June 2008.

As discussed during our phone conversation, this report details the findings of the August 2006 investigation (site walk over and soil sampling) of the Wet and Dry Impact Areas, Locust Point Firing Area, the Lake Impact Area, and West Sister Island. This investigation is the first investigation conducted under the Military Munitions Response Program, a new program created in 2002 to investigate and address munitions contaminated sites. Any future actions (including the periodic beach removals) will now be conducted under this new program. This Site Investigation recommends further investigations for the Lake Impact Area, and a potential responsible party investigation of the wet and dry impact areas.

As you know, there have been several previous investigations of the former Erie Army Depot. Unfortunately, though data and information from the past studies could be used as background information, they could not be used to support further work at this site. Department of Defense policy stated that new investigations had to be conducted at munitions response sites before additional work could be performed.

Since the results of this site investigation are being used to plan future work at Erie Army Depot, we are providing a copy of the report for your use. As a party affected by future investigations and work at this site, we encourage you to review this information. As a stakeholder, Ohio EPA feels your concerns about this report are addressed before future work is initiated at the former Erie Army Depot site.

If you have any concerns or questions about this document, please contact me at (937) 285-6469.

Sincerely,

A handwritten signature in black ink, appearing to read "Bonnie B. Buthker".

Bonnie B. Buthker
Federal Facilities Section
Division of Emergency and Remedial Response

BBB/plh

Herb Roder

From: Bonnie Buthker [Bonnie.Buthker@epa.state.oh.us]
Sent: Wednesday, August 06, 2008 7:35 AM
To: Herb Roder
Subject: RE: Question on Erie Army Depot - wet/dry impact areas

Herb:

Thank you for the email response. I had sent this email prior to Ohio EPA's July 22 meeting with the Army Corps - I didn't think you had received it. That's why I called you after the meeting to ask the same question.

The email is just what I need in a letter from you. If you could just cut and paste it onto your letterhead and send the letter to me, I would really appreciate it. My Director, Chris Korleski, feels that a letter from you confirming that ARES has never done live fire testing would be effective in convincing the Army Corps to proceed with the UXO surface removal in the wet and dry impact areas, which is why he asked me if I could ask you for letter.

My address is as follows:

Bonnie Buthker
Ohio EPA
401 E. Fifth Street
Dayton, Ohio 45402

Thanks so much for helping out. I've heard from Sophie Baj that the Army Corps has funding for another action at Erie Army Depot this year. I'm hopeful that, with your help, Ohio EPA may convince them to do the surface removal of the wet/dry impact areas that they promised in 2006.

Oh - before I forget, did the CD with the Site Investigation Report make it to you? Please let me know. I want to make sure you receive a copy of the report - you definitely need to be aware of what it says.

If you have any questions or need anything else, please email me or give me a call at (937) 285-6469.

Thanks again,

Bonnie Buthker
Ohio EPA
Federal Facilities Section

>>> "Herb Roder" <herb.roder@aresinc.net> 8/5/2008 10:44 am >>>

8/6/2008

Bonnie Buthker:

ARES, Inc. and Camp Perry has continued to use the former Erie Army Depot firing range since being deactivated by the Federal Government. ARES, Inc. use of the range has always been with "Target Practice" rounds of ammunition only. The firing that ARES, Inc. has done is as follows. We have two enclosed ranges that have impact bunkers at 100 meters to collect the projectiles. Within these two enclosed ranges we fire small caliber systems up to 25mm. For medium caliber weapon systems ARES, Inc. has two outside ranges with impact bunkers at 100 meters to catch the projectiles. For large caliber weapon systems we have two outside firing range with a bunker at 435 meters to catch the projectile. We also have four outside ranges that we can fire into the lake or the land surfaces of the range. These ranges are used should the customer (USG) require that the systems be fired at targets at extended distances or for specific purposes. The projectiles for this type of firing will go into Lake Erie. Again, these projectiles are "Target Practice" only. From these outside ranges we can also fire small or medium caliber weapons at targets or for special purposes. These small caliber projectiles may or may not impact in the land area of the range depending on the firing elevation requirement. ARES, Inc. has not in the past or present ever fired live or high explosive projectiles into Lake Erie or the land areas. Should you have additional questions or need more information please call me on your requirements or needs.

Best Regards

Herb Roder

ARES, Inc.

From: Bonnie Buthker [mailto:Bonnie.Buthker@epa.state.oh.us]
Sent: Tuesday, July 08, 2008 10:04 AM
To: Herbert J. Roder
Subject: Question on Erie Army Depot - wet/dry impact areas

Mr. Roder:

The Final Site Investigation Report was issued for Erie Army Depot. I received it on July 1, 2008. If you did not receive a copy, please let me know and I'll make sure the Army Corps sends one to you.

I had one quick question for you. The Army Corps thinks that ordnance firing into the wet and dry impact areas continued after the property was transferred (e.g. no longer owned by the Army). In meetings with you, my understanding was that any firing done was done in underground bunkers - not above ground. I am aware of the firing of inert rounds into the lake, but I didn't think that was also conducted in these other areas.

Would you please confirm whether above ground firing was conducted into the wet/dry impact areas after the Army transferred the property?

If you need to reach me by phone, you can contact me at (937) 285-6469.

Thanks,

Bonnie Buthker
State of Ohio EPA

8/6/2008